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VERGIL SERVICES, INC. D/B/A REDGIFS
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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 D.M., L.O., AND G.V., individually
and on behalf of all others similarly
12 situated,

13 Plaintiff,

14 v.

15 VERGIL SERVICES, INC. D/B/A
REDGIFS;
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17 Defendants.
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Case No. 2:25-cv-05102-PD

**DEFENDANT VERGIL SERVICES,
INC. D/B/A REDGIFS'S NOTICE
OF NON-OPPOSITION TO
PLAINTIFFS' MOTION TO
PROCEED PSEUDONYMOUSLY**

1 Defendant VERGIL SERVICES, INC. D/B/A REDGIFS (“Defendant”),
2 hereby submits this statement of non-opposition regarding Plaintiffs D.M., L.O., and
3 G.V.’s (“Plaintiffs”) Motion to Proceed Pseudonymously (the “Motion”). ECF No.
4 9. Without conceding any argument raised in Plaintiffs’ Motion, Defendant does not
5 object to having Plaintiffs proceed in this litigation pseudonymously.

6 For the avoidance of doubt, Defendant further expressly notes that its non-
7 opposition should not be construed as a concession that Plaintiffs had any reasonable
8 expectation of privacy in the information alleged to be collected on Defendant’s
9 public website, that Plaintiffs have suffered any concrete injury, or that this is the
10 proper forum to resolve Plaintiffs’ claims. *See, e.g., United States v. Forrester*, 512
11 F.3d 500, 509 (9th Cir. 2008) (“Internet users have no expectation of privacy in the
12 to/from addresses of their messages or the IP addresses of the websites they visit...”);
13 *Daghaly v. Blommingdales.com, LLC*, 2024 WL 5134350, *1 (9th Cir. Dec. 17,
14 2024) (allegations that a website collects and shares information regarding an
15 individual’s visit fails to establish any “injury in fact that is concrete, particularized,
16 and actual or imminent.”); *Jones v. Bloomingdales.com, LLC*, No. 23-3304, 2024
17 WL 5205528, at *4 (8th Cir. Dec. 24, 2024) (affirming dismissal of website-analytics
18 invasion of privacy claims because plaintiff “has not plausibly alleged that she
19 suffered a concrete injury, and so she lacks standing to bring these suits. We do so
20 not because we think she experienced only a slight invasion of her privacy, ... but
21 because her allegations do not plausibly suggest that she suffered **any such invasion**
22 **at all.**”) (emphasis added); *Mitchener v. CuriosityStream, Inc.*, No. 25-CV-01471-
23 NW, 2025 WL 2272413, at *4 (N.D. Cal. Aug. 6, 2025) (“The mere “collection of
24 basic contact information by ... software[,] or where the plaintiffs merely visited the
25 website[,] are not concrete harms.”) (citation omitted).

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1 Accordingly, although Defendant does not oppose Plaintiffs' Motion,
2 Defendant expressly reserves the right to oppose Plaintiffs' Complaint, or any future
3 motion filed by Plaintiffs on any and all grounds.
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5 Dated: October 1, 2025

Respectfully submitted,

6 **ARENTFOX SCHIFF LLP**

7 By: /s/ Susanne Boniadi
8 Susanne Boniadi
9 Attorney for Defendant
10 VERGIL SERVICES, INC
11 D/B/A REDGIFS
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